

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MARIO VALENCIA-ALVAREZ,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

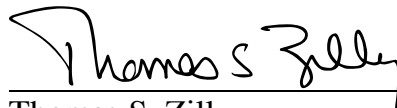
No. C05-447Z

ORDER

This matter comes before the Court on Petitioner Mario Valencia-Alvarez's application for a certificate of appealability pursuant to 28 U.S.C. § 2253. Docket no. 17. A certificate of appealability may issue where "the applicant has made a substantial showing of a denial of a constitutional right." 28 U.S.C. § 2253(c)(2). The Court concludes for the reasons stated in Magistrate Judge Monica J. Benton's Report and Recommendation, docket no. 10, that Petitioner has failed to make a substantial showing of a denial of a constitutional right. Accordingly, Petitioner's application for a certificate of appealability is hereby DENIED.

IT IS SO ORDERED.

DATED this 20th day of March, 2006.


Thomas S. Zilly
United States District Judge